

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

Civil Action No. 1:12-cv-03331-KTD

MOHAMED RASHED D. AL-OWHALI,

Petitioner,

v.

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC# 112313  
DATE FILED: 1/23/13

UNITED STATES OF AMERICA,

Respondent.

**MOTION FOR LEAVE TO WITHDRAW SECTION 2255 MOTION**

Petitioner Mohamed Rashed D. Al-Owhali respectfully asks the Court for leave to withdraw his section 2255 motion.

Background

Petitioner filed his section 2255 motion on April 26, 2012. Doc. 1.

The Court ordered the Government to file its answer, if any, within sixty days. Doc. 3. The Government did not file its answer within sixty days, nor did the Government request an extension on the record. The Court, on August 16, 2012, extended the Government's time to respond to Petitioner's motion to August 30, 2012. Doc. 6.

The Government filed its Memorandum of Law in opposition to Petitioner's section 2255 motion on August 31, 2012. Doc. 7. Petitioner placed his Reply to the Government's Memorandum of Law in opposition in the ADX mail system on December 24, 2012. Doc. 10.

Motion

At this time, Petitioner moves the Court for leave to withdraw his section 2255 motion.

DATED: January 14, 2013

Mohamed R. al-Owhali

133751-1  
PROSECUTOR'S OFFICE

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14 day of January 2013, I placed the foregoing MOTION FOR LEAVE TO WITHDRAW SECTION 2255 MOTION in the USP Florence ADX mail system addressed to:

Shane S. Buckley  
Assistant United States Attorney  
Southern District of New York  
One St. Andrew's Plaza  
New York, NY 10007

  
\_\_\_\_\_  
Mohamed R. al-Owhali

Alowha 11/14  
42 37/054  
ADX Florence  
P.O. Box 8000  
Florence, CO 81226  
1.11.13

15 1881  
U.S. District Court  
Southern District of New York  
of

New York  
500 Pearl Street  
New York Ny 10007

RECEIVED  
COPY PROSE  
OFFICE  
2013 JAN 23  
P  
LAW OFFICES OF  
HAROLD F. COOPER, JR.

888